

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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STEPHANIE L. BOXLER,	:	CASE NO. 5:16-CV-2154
Plaintiff,	:	
vs.	:	OPINION & ORDER
COMMISSIONER OF	:	[Resolving Doc. <a href="#">1</a> ]
SOCIAL SECURITY,	:	
Defendant.	:	
	:	

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On December 12, 2012, Plaintiff Stephanie L. Boxler applied for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act.<sup>1</sup> After her application was denied, Boxler requested that an Administrative Law Judge (ALJ) evaluate her application.<sup>2</sup>

On March 23, 2015, the ALJ determined that Plaintiff Boxler was not disabled within the meanings of the Social Security Act.<sup>3</sup> The Appeals Council denied Boxler's request for review.<sup>4</sup>

On August 29, 2016, Plaintiff Boxler filed this complaint. With her complaint, Boxler alleges that she was wrongly denied disability insurance benefits.<sup>5</sup>

Consistent with Local Rule 72.2, the Court referred the matter to Magistrate Judge Thomas M. Parker. On June 1, 2017, Magistrate Judge Parker issued a Report and

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<sup>1</sup> Doc. [10](#) at 268-76; see 42 U.S.C. §§ 416(i), 423 *et seq.*

<sup>2</sup> *Id.* at 12-15.

<sup>3</sup> *Id.* at 16-37.

<sup>4</sup> *Id.* at 6-10.

<sup>5</sup> Doc. [1](#).

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Recommendation, finding substantial evidence supported the ALJ's determination and recommending that this Court affirm the Commissioner's denial of disability benefits.<sup>6</sup>

Specifically, Magistrate Judge Parker rejected Boxler's argument that the ALJ should have considered Boxler's diagnosis of bradyphrenia, a condition that causes mental slowness or fatigability of initiative.<sup>7</sup> Judge Parker found no evidence that Boxler had a bradyphrenia diagnosis, and Boxler failed to identify any work-impairing limitations of a bradyphrenia diagnosis.<sup>8</sup> On June 12, 2017, Boxler filed notice that she would not object to Magistrate Judge Parker's report and recommendation.<sup>9</sup>

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.<sup>10</sup> Plaintiff Boxler declined to file any objections in this case.

Absent objection, a district court may adopt the magistrate judge's report without review.<sup>11</sup> Moreover, having conducted its own review of the parties' briefs in this case, the Court agrees with the conclusions of Magistrate Judge Parker.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Parker's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court thus **AFFIRMS** the Commissioner's denial of benefits.

IT IS SO ORDERED.

Dated: June 23, 2017

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> Doc. [17](#).

<sup>7</sup> *Id.* at 9-11.

<sup>8</sup> *Id.* at 10-11.

<sup>9</sup> Doc. [18](#).

<sup>10</sup> [28 U.S.C. § 636\(b\)\(1\)\(C\)](#).

<sup>11</sup> *Thomas v. Arn*, 474 U.S. 140, 149 (1985).